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March 6, 2014

The Honorable Gregory M. Sleet **BY E-FILING**
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street, Room 4324, Unit 19
Wilmington, DE 19801-3569

Re: *Bonutti Skeletal Innovations v. Zimmer Holdings*, C.A. No. 12-1107 (GMS);
Bonutti Skeletal Innovations v. ConforMIS, C.A. No. 12-1109 (GMS); and
Bonutti Skeletal Innovations v. Wright Medical Grp., C.A. No. 12-1110 (GMS)

Dear Chief Judge Sleet:

Currently before the Court is a joint motion to stay pending *inter partes* review ("IPR") brought by the defendants in the three cases filed by Bonutti Skeletal Innovations against Zimmer, ConforMIS, and Wright Medical. (*See Bonutti Skeletal Innovations LLC v. Zimmer Holdings, Inc.*, Case No. 12-cv-1107-GMS, D.I. 35.) That motion is based in part on IPR petitions filed by Smith & Nephew, Inc., a defendant in another case filed by Bonutti that was subsequently dismissed without prejudice. (*See id.*, D.I. 36 at 6.)

Pursuant to Local Rule 7.1.2(b), I write to inform the Court that the USPTO granted Smith & Nephew's IPR petitions as to claim 23 of U.S. Patent No. 7,749,229 (the "'9229 patent") on February 26, 2014 and claim 1 of U.S. Patent No. 7,806,896 (the "'896 patent") on February 28, 2014, after briefing on the motion to stay was complete. (*Id.*, D.I. 40.) Bonutti currently asserts the '9229 patent against Zimmer and the '896 patent against Zimmer, Wright Medical, and ConforMIS. (*Id.*, D.I. 26 at 5.) Copies of the decisions instituting the IPRs and the scheduling orders for the IPRs are attached.

Respectfully,

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

JBB/dam
Enclosures
cc: All Counsel of Record (*by CM-ECF and/or email*)
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